

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
NOV -4 2 42

FRANCIS X. SERIO

Plaintiff,

v.

FRANK A. SERIO & SONS,
INCORPORATED, et al.

Defendants.

Case No.: AMD 02CV1909

FILED ENTERED
LOGGED RECEIVED

NOV 12 2002

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY

DEPUTY

NOTICE OF DISMISSAL WITHOUT PREJUDICE

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, plaintiff Francis X. Serio ("Plaintiff"), by and through his undersigned counsel, hereby dismisses without prejudice this action against Defendant Frank A. Serio & Sons, Incorporated. Defendant Frank A. Serio & Sons, Incorporated has not yet served an answer in this action.

Dated this 4th day of November, 2002.

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

Richard L. Cys
Richard L. Cys (05737) /car
Constance M. Pendleton
1500 K Street, NW, Suite 450

APPROVED

CLU

11-12-2002

(21)

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Attorneys for Plaintiff

ORDER OF DISMISSAL

This action against defendant Frank A. Serio & Sons, Incorporated, having been voluntarily noticed for dismissal by plaintiff, is dismissed without prejudice against defendant Frank A. Serio & Sons, Incorporated.

Dated: _____

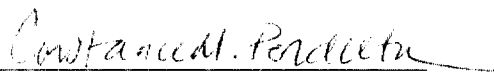
By: _____
Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of November, 2002, true and correct copies of the foregoing Notice of Dismissal Without Prejudice were served by first class mail, postage prepaid, upon:

William Butler, Esq.
Howard, Butler & Melfa, P.A.
401 Allegheny Avenue
Towson, MD 21204

Laurance J. Ochs, Esq.
1748 N Street, N.W.
Washington, DC 20036


Constance M. Pendleton